

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/7/2015

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PEARSON EDUCATION, INC.,

Plaintiff,

v.

DOES 1-5 d/b/a www.scholarstock.com,

Defendants.

Case No. 15-cv-2747 (VEC) (FM)

**FINAL JUDGMENT AND PERMANENT INJUNCTION**

Upon the Stipulation for Entry of Judgment and Permanent Injunction Against Defendants EduScholar Knowledge Management Institute, SivaKumar, and Suresh Kumar (hereinafter collectively referred to as "Defendants"), it is hereby

**ORDERED** that final judgment is **ENTERED** for Plaintiff Pearson Education, Inc. ("Pearson"); and it is

**FURTHER ORDERED** that a permanent injunction is **ENTERED** in this action. Defendants, along with their agents, servants, representatives, employees, successors, and assigns, and all those acting in concert or in participation with any of them, shall not:

- a) Directly or indirectly infringe any of Pearson's Copyrighted Works;<sup>1</sup>
- b) Copy, reproduce, download, distribute, upload, transmit, or otherwise

<sup>1</sup> "Pearson's Copyrighted Works" means any and all textbooks or other copyrighted works, or portions thereof, including instructor solutions manuals, instructor resource manuals, or test banks, whether now in existence or later created, regardless of media type, the copyrights to which are owned or controlled by Pearson or its parents, subsidiaries, affiliates, predecessors, successors, and assigns, whether published in the United States or abroad.


- exploit without authorization any of Pearson's Copyrighted Works;
- c) Enable, facilitate, permit, assist, solicit, encourage or induce others to copy, reproduce, download, distribute, upload, transmit, or otherwise exploit without authorization any of Pearson's Copyrighted Works; and
- d) Use, operate, maintain, assist, distribute, or support any computer server, website, software, domain name, email address, social media account, bank account, or payment processing system in connection with the infringement of any of Pearson's Copyrighted Works; and it is

**FURTHER ORDERED** that Defendants shall assign and transfer to Pearson ownership and control of the SCHOLARSTOCK.com domain name. Defendants shall take any and all actions that may be necessary to effectuate the change of registered ownership and control of the SCHOLARSTOCK.com domain name to Pearson; and it is

**FURTHER ORDERED** that the funds in Defendants' PayPal account, which were restrained pursuant to the Court's Order of April 9, 2015, shall be transferred to Pearson, c/o its counsel, Oppenheim + Zembrak, LLP, after which time PayPal may remove any restraints previously placed on Defendants' account; and it is

**FURTHER ORDERED** that the Court retains jurisdiction for the purpose of enforcing this Order.

**SO ORDERED** this 7<sup>th</sup> day of May, 2015.

  
\_\_\_\_\_  
VALERIE E. CAPRONI  
United States District Judge